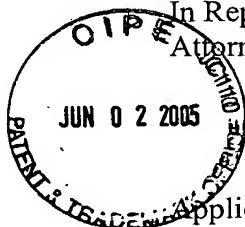


1FW

Application No. 10/809,110
Paper Dated: May 31, 2005
In Reply to USPTO Correspondence of April 28, 2005
Attorney Docket No. 0624-043795



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/809,110
Applicant : Pi-Chu LIN
Filed : March 25, 2004
Title : **POWER CUTTING TOOL**
Confirmation No. : 6641
Art Unit : 3724
Examiner : Stephen Choi
Customer No. : 28289

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

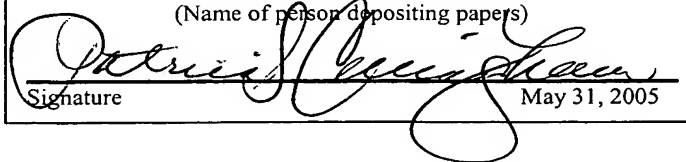
ELECTION WITH TRAVERSE

Sir:

In response to the Office Action dated April 28, 2005, Applicant submits the following election with traverse. The period set for reply was one month or by May 28, 2005. Because May 28 through May 30, 2005 included a Saturday, Sunday and a Federal Holiday, under 37 CFR § 1.7(a) the reply is timely filed on May 31, 2005.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 31, 2005.

Patricia S. Cunningham
(Name of person depositing papers)


Signature May 31, 2005

Application No. 10/809,110
Paper Dated: May 31, 2005
In Reply to USPTO Correspondence of April 28, 2005
Attorney Docket No. 0624-043795

The Examiner states that the present invention contains two patentably distinct species:

Species A – Figure 2; and

Species B – Figures 5.

Applicant hereby provisionally elects to prosecute Species B shown at least in Figure 5 (claims 1-3 and 10-16) with traverse.

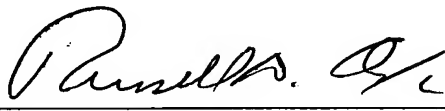
The Examiner states that this application contains claims directed to two patentably distinct inventions, namely Species A as shown in Figure 2, and Species B as shown in Figure 5. Applicant respectfully traverses the Restriction Requirement for the following reason.

Applicant respectfully asserts that a search for the invention of Species A would be coextensive with that for the invention of Species B. Thus, there would be no undue burden on the Examiner if all claims were to be examined together.

However, in the event the Examiner maintains the Restriction Requirement, Applicant hereby elects to prosecute the invention of Species B, claims 1-3 and 10-16, without prejudice to the later filing of a divisional application directed to the non-elected invention.

Respectfully submitted,

THE WEBB LAW FIRM

By 

Russell D. Orkin
Registration No. 25,363
Attorney for Applicants
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219-1845
Telephone: 412-471-8815
Facsimile: 412-471-4094
E-mail: webblaw@webblaw.com